

OLGA M. PUGLIS

IBLA 80-532

Decided February 27, 1981

Appeal from decision of the Montana State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer M 45928.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:
Applications: Drawings

A drawing entry card which is not properly dated in the space provided on the card is not "fully executed," as required by 43 CFR 3112.2-1, and must be rejected.

APPEARANCES: Olga M. Puglis, pro se.

OPINION BY ADMINISTRATIVE JUDGE LEWIS

Olga M. Puglis has appealed from a February 25, 1980, decision of the Montana State Office, Bureau of Land Management (BLM), rejecting her drawing entry card oil and gas lease offer M 45928 because it bore the date January 24, 1981, but was filed for the January 1980 simultaneous oil and gas drawing. Appellant's statement of reasons admits that apparently an error was made, but she asks us to take into consideration the fact that it was the first month of a new year and a new decade, that there would have been no possible purpose in dating the card 1981, and that the card was filed during the proper filing period with the proper parcel number.

[1] It is well established that a drawing entry card which is not properly dated in the space provided on the card must be rejected. Sorenson v. Andrus, 456 F. Supp. 499 (D. Wyo. 1978), aff'g Walter M. Sorenson, 32 IBLA 345 (1977). In that case, the offeror had dated the card with the month and year, but had omitted the exact day. In Roy Flamm, 24 IBLA 10 (1976), we affirmed a rejection of a card which bore a date which was later than the date of the filing. We noted that postdating the card renders the signature ineffective at the time of its

submission, thereby rendering ineffective the certification of all other statements made on the card. Id. at 11. Strict compliance with the regulations governing the drawing, 43 CFR Subpart 3112, is required to protect the rights of the second and third drawn qualified offerors. Ballard E. Spencer Trust, Inc., 18 IBLA 25 (1974), aff'd, Ballard E. Spencer Trust, Inc. v. Morton, 544 F.2d 1067 (10th Cir. 1976).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Anne Poindexter Lewis
Administrative Judge

We concur:

Bernard V. Parrette
Chief Administrative Judge

Bruce R. Harris
Administrative Judge

